

REMARKS

Claims 1-18 are currently pending in this application. Claims 1 and 10 being the independent claims. Claim 18 is a new claim

Statement Under 37 C.F.R. §1.133(b)

In response to the telephonic interview conducted April 16, 2010, Applicants wish to thank the Examiner for the courtesies extended during the interview. Applicants submit the following discussion to provide a complete record of the issues discussed during the Examiner Interview.

Applicants and the Examiner discussed the current rejections to dependent claims 7-9 and 16-17. The Applicants argued that the cited art fails to teach the elements recited in dependent claims 7-9 and 16-17. More so, Applicants argued that the Office Action dated January 21, 2010 fails to provide any specific cited sections of the cited art which teach any of the limitations recited in dependent claims 7-9 and 16-17.

The Examiner admitted that the Office Action dated January 21, 2010 fails to provide any specific cited sections of the cited art which teach all of the elements of dependent claims 7-9 and 16-17 and indicated that a further search and consideration would be necessary.

Applicants respectfully submit that the Examiner has not provided sufficient grounds of rejections for all of the pending claims. Thus, the next Office Action **can not be made final**. Applicants note the non-final Office Action does not specifically reject all of the claims. Although the Summary of the Office Action indicates that claim 7-9 and 16-17 stand rejected, the non-final Office Action omits **any explanation** of how any cited art anticipates or renders obvious this claim. Applicants respectfully

submit that this omission amounts to a failure to articulate a **prima facie** case of unpatentability and the burden to rebut this "rejection" has not yet shifted to the Applicant. Consequently, a next Office action rejecting the claims cannot properly be made final since only then would the Applicant be obligated to rebut the rejection, presuming that such an Office action sets forth a **prima facie** case. (See MPEP § 706.07(a)).

Claim Rejections-35 U.S.C. § 103

Claims 1-17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Spencer Larry et al. (International Application No. WO 01/2929514 A1) in view of Kalis et al. (US Patent No. US 6,966,533).

On page 3 of the Office Action dated January 21, 2010 the Examiner only uses Spencer to teach "an RF connector designed to automatically interface with an RF connector in the portable GPS navigation device in order to feed RF signals from an external aerial to the portable GPS navigation device when the portable GPS navigation device is correctly mounted on the dock" as previously recited in independent claim 1.

Without conceding to the Examiner's position, Applicants have amended claim 1 to expedite prosecution. Amended claim 1 recites, inter alia, "an RF connector on a top surface of the platform designed to directly interface with an RF connector in the portable GPS navigation device such that the portable GPS navigation device is perpendicular to the top surface of the platform." At least this feature is not disclosed or rendered obvious by any combination of the cited art.

Spencer teaches a navigation system and a fixed docking station. Specifically, the Examiner uses Fig. 1, element 38 of Spencer to teach the "RF connector" as

disclosed in claim 1. However, element 38 of Spencer is connected to the GPS navigation device through element 38. Therefore, Spencer can not teach “the RF aerial connector is **directly** interface with an RF connector in the portable GPS navigation device” as recited in amended claim 1.

Dependent Claim 5 recites, inter alia, “a lip about which the portable GPS navigation device is designed to rotate when being mounted onto the dock, the lip being shaped to guide the portable GPS navigation device into correct alignment and engagement with the dock.” At least this feature is not disclosed or rendered obvious by any combination of the cited art.

On page 4 of the Office Action the Examiner admits that Spencer does not disclose the above mentioned elements of dependent claim 5 and relies on Kalis to teach these limitations. Specifically, the Examiner alleges that FIG. 9, element 124 of Kalis is a “lip” as recited in dependent claim 5. However, element 124 of Kalis is illustrated and described as a **swiveling member**. The swiveling member 124 as disclosed by Kalis is used solely to rotate the apparatus about an axis. More so, the swiveling member 124 is never in contact with the dock and can not be “shaped to guide the portable GPS navigation device into **correct alignment and engagement** with the dock” as recited in dependent claim 5. Thus, the holding/supporting functioning of the dock with that of letting the device be rotated when mounted is a distinctive technical feature disclosed by neither Spencer nor Kalis, even when they are considered in combination. Further, even assuming arguendo that Kalis could be combined with Spencer (which is not admitted), Kalis would still fail to make up for the previously mentioned deficiencies of Spencer. Thus, the alleged combination of Spencer and Kalis would still fail to teach at least the previously mentioned deficiencies of claim 5.

Also, on page 5 of the Office action dated January 21, 2010 the Examiner states that Spencer in view of Kalas disclose all the elements of claim 7. However, the Examiner has failed to recite any specific sections of the cited art which teach all the elements of dependent claim 7. Specifically, Applicants submit that **the cited art fails to teach "internal antenna being connected to the portable GPS navigation device" as recited by dependent claim 7.**

Additionally, on page 5 of the Office Action dated January 21, 2010 the Examiner states claims 8-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Spencer Larry in view of Kalis for having similar limitations as claims 1-7. However, claims 8 and 9 recite new elements not previously recited in claims 1-7.

Thus, Applicants respectfully request withdrawal of the rejections to the claims or a new office action specifically addressing **all** of the claims.

In view of the above, Applicants submit that no combination of the cited art teaches or renders obvious all of the elements of independent claim 1, dependent claims 5 and 7-9. Thus, applicants submit that claims 1, 5 and 7-9 are allowable. Applicants further submit that independent claim 10 is allowable at least for somewhat similar reasons as independent claim 1, noting that each claim should be interpreted solely based upon the limitations present therein. Also, applicants submit that dependent claims 14 and 16-17 are allowable for at least somewhat similar reasons as dependent claims 5, 7 and 8, respectively. In addition, Applicants submit that dependent claims 2-4, 6, 11-13, and 15 are allowable at least by virtue of their dependency from allowable base claims and on their own merits.

Therefore, Applicants respectfully request that this art grounds of rejection be withdrawn.

New Claim

Claim 18 is a new claim. Claim 18 recites, inter alia, “an RF connector configured to directly couple with an RF connector in the portable GPS navigation device.” At least this feature is not disclosed or rendered obvious in the cited art. Specifically, FIG. 5, of Spencer shows the GPS device 22 connected to the RF connector 38 through element 34.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the pending claims in connection with the present application is earnestly solicited.

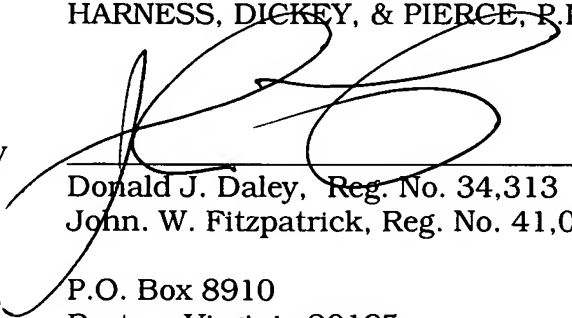
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By



Donald J. Daley, Reg. No. 34,313
John. W. Fitzpatrick, Reg. No. 41,018

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

EGP

DJD/JWF/EGP:mk